

08.07.2024
Court No.29
Item No. 17

Allowed

sg

CRM (A) 2199 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Murutia Police Station Case No. 72 of 2024 dated 02.03.2024 under Sections 448/324/325/354(B)/376/506/509/511/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Tehatta at Nadia.

And

In Re: **Ramesh Shaikh @ Sk.**

Petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

For the Petitioner

Mr. Imran Ali
Miss. Ankita Pal

For the State

1. The affidavit of service filed in Court today is taken on record.
2. In spite of service, the victim is not represented.
3. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instance case.
4. The learned Counsel for the State opposes the prayer for the anticipatory bail and produces the case diary.
5. Considering the materials available in the case diary, the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and in view of the fact that charge sheet has already been filed and having regard to the fact that the victim has refused medical examination, we are of the view that custodial interrogation of the present petitioner is not necessary.
6. Accordingly, we direct that in the event of arrest the petitioner namely, **Ramesh Shaikh @ Sk.**, shall be released on bail upon furnishing a bond of

Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Tehatta at Nadia, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to further condition that the petitioner shall appear before the trial court within two weeks from date and thereafter, shall appear on each and every date of hearing until further orders.

7. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
9. CRM (A) 2199 of 2024 is, thus, disposed of.
10. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)